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THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

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DATED: 05-10-2005

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WRIT PETITION Nos.210 and 729 of 2004

WP.No.210 of 2004

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Between:

Hotel Dwaraka Deluxe . . .Petitioner

And

The Asst. Commissioner of Labour, Hyd

and another . . .Respondents

WP.No.729 of 2004

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Between:

Hotel Dwaraka Palace . . .Petitioner

And

The Asst. Commissioner of Labour, Hyd

and another . . . Respondents

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THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

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WRIT PETITION Nos.210 and 729 of 2004

COMMON ORDER:

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W.P.No.210 of 2004 is filed by M/s.Hotel Dwaraka Deluxe, represented by its proprietor Sri B.Laxminarasimha Rao. W.P.No.729 of 2004 is filed by M/s.Hotel Dwaraka Palace, represented by its partner Sri B.Suresh Rao.

Both the writ petitions are filed against the order of the Assistant Commissioner of Labour, Hyderabad-III, Hyderabad, in I.A.No.50 of 2002 in S.E.No.155 of 1992, dated 30-09-2003, whereby, the first respondent held that both the petitioners herein and M/s.Hotel Dwaraka Paradise were the successors in interest of erstwhile M/s.Hotel Dwaraka and therefore, the amount claimed by the applicant (second respondent in the writ petitions), is recoverable from these three managements. Aggrieved thereby, M/s.Hotel Dwaraka Palace and M/s.Hotel Dwaraka Deluxe are before this Court.

Both Sri C.B.Rammohan Reddy, learned counsel appearing on behalf of M/s.Hotel Dwaraka Deluxe and Sri Vijaysen Reddy, learned counsel appearing on behalf of M/s.Hotel Dwaraka Palace, would submit that since the Assistant Commissioner of Labour, Hyderabad, Circle-III, Hyderabad, held all the three managements (both the petitioners and M/s.Hotel Dwaraka Paradise) as the successors in interest of M/s.Hotel Dwaraka, the petitioners are ready and willing, to give a quietus to the matter, to pay their respective 1/3rd share of Rs.1,00,000/-, to the second respondent, who agreed that the amount payable to him is in full and final settlement of all claims.

Sri G.Ravi Mohan, learned counsel for the second respondent, conveys his consent, on instructions from the second respondent, to the offer now made, across the bar, by both

Sri C.B.Rammohan Reddy and Sri Vijaysen Reddy.

Since the parties herein are in agreement, their consent is recorded to the effect that the petitioners in WP.Nos.210 and 729 of 2004 shall pay Rs.33,334/- each, being their respective share of the said sum of Rs.1,00,000/- , to the second respondent, within a period of four weeks from today.

Since M/s.Hotel Dwaraka Paradise is not before this Court, it is open to the second respondent to take necessary action or avail such remedies as are open to him in law, against M/s.Hotel Dwaraka Paradise and this order, in lieu of the agreement entered by the parties, would apply only to M/s.Hotel Dwaraka Deluxe and M/s.Hotel Dwaraka Palace.

The writ petitions are accordingly disposed of. There shall be however no order as to costs.

(RAMESH RANGANATHAN, J)

5th OCTOBER, 2005.

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